

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN BOOKER,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL NUTTER, et al.	:	NO. 12-00402
Defendants.	:	

O R D E R

AND NOW, this 24th day of September, 2014, upon consideration of Defendant City of Philadelphia's motion to dismiss for failure to state a claim (Doc. No. 21) and any responses thereto, it is hereby **ORDERED** that motion is **DENIED**, in accordance with the accompanying memorandum.

BY THE COURT:

/s/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.